

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**SB 312 – HB 619**

March 31, 2009

**SUMMARY OF AMENDMENT (005748):** Deletes all language after the enacting clause. Includes as admissible evidence a video recording of an interview of a child by a forensic interviewer containing a statement made by a child under the age of 13 describing any act of sexual contact. The recording is admissible if the child testifies or is available to be called as a witness; the court is satisfied that the recording is trustworthy; the interview was conducted by a forensic interviewer meeting all the required qualifications; the recording is both visual and oral and is recorded on film, videotape, or by other similar audio-visual means; the recording is unaltered; and its probative value is not substantially outweighed by its prejudicial impact. Requires the court to enter a protective order to restrict the video recording from further disclosure or dissemination and that it be sealed and preserved following the conclusion of the criminal proceeding.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Revenue – Not Significant  
Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant  
Increase Local Expenditures – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- The Administrative Office of the Courts estimates an increase in state expenditures for juvenile, trial and appellate courts to address these issues; however, such increase is estimated to be not significant.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc